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Attorneys for Defendants RANGE FUELS, INC., KHOSLA VENTURES, LLC, and VINOD KHOSLA

IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH, CENTRAL DIVISION

GAGE, Inc., a Utah corporation,

Plaintiff,

v.

BIOCONVERSION TECHNOLOGY, LLC, a Colorado limited liability company; ROBERT E. KLEPPER, an individual; KENNETH L. KLEPPER, an individual; RANGE FUELS, INC. f/k/a KERGY, INC., a Delaware corporation; KHOSLA VENTURES, LLC, a Delaware limited liability corporation; VINOD KHOSLA, an individual; and JOHN DOES 1 through 10,

Defendants.

BIOCONVERSION TECHNOLOGY, LLC, a Colorado limited liability company;

Counterclaimant

v.

GAGE, Inc., a Utah corporation,

Counterclaim Defendant.

DECLARATION OF
NATHAN L. WALKER IN SUPPORT OF
MOTION BY RANGE FUELS, INC.,
KHOSLA VENTURES, LLC, AND
VINOD KHOSLA TO DISMISS CLAIMS
FOR LACK OF PERSONAL
JURISDICTION OR, IN THE
ALTERNATIVE, TRANSFER CLAIMS
OR THE ENTIRE ACTION

Case No.: 2:08CV00057DB

Judge Dee Benson

I, Nathan L. Walker, declare and state as follows:

- 1. I am an attorney at Wilmer Cutler Pickering Hale and Dorr LLP, counsel to Defendants Range Fuels, Inc. ("Range Fuels"), Khosla Ventures, LLC ("Khosla Ventures"), and Vinod Khosla (collectively, the "Range Fuels Parties") in the above-captioned action (the "Utah Action") and in connection with the separate but related lawsuit that GAGE, Inc. ("GAGE") has filed against the Range Fuels Parties in the District of Colorado, Case No. 1:09-cv-00062-WDM-MJW (the "Colorado Action"). I have personal knowledge of the following facts and if called as a witness could and would testify competently to the facts.
- 2. Attached hereto as Exhibit A is a true and correct copy of the Complaint that GAGE filed against the Range Fuels Parties on January 14, 2009 in the Colorado Action.
- 3. Attached hereto as Exhibit B is Range Fuels' Answer to GAGE's Complaint in the Colorado Action. Khosla Ventures and Vinod Khosla have yet to be served with GAGE's Complaint in the Colorado Action. I understand, however, that they anticipate filing an answer to the Complaint in the Colorado action, denying GAGE's claims but conceding that they are subject to personal jurisdiction in Colorado.
- 4. Attached hereto as Exhibit C is a true and correct copy of the Second Amended Complaint that Gage filed in this Utah Action on January 20, 2009, as Docket No. 53.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief. Executed on this 4th day of March, 2009.

/S/ Nathan L. Walker

Nathan L. Walker